

#### BULLWINKEL PARTNERS, LTD.

#### Attorneys Counselors

19 South LaSalle Street Chicago, Illinois 60603-1493 312.201.0777 fax 312.201.0737 http://www.Bullwinkel.com hjf@Bullwinkel.com

HAROLD J. FASSNACHT

January 19, 1998

Commissioner of Patents and Trademarks BOX PATENT APPLICATION Washington, D.C. 20231

Re: New Patent Application

 $1\alpha\textsc{-HYDROXYVITAMIN}\ D_{_5}\textsc{,}\ ITS\ SYNTHESIS\ AND\ USE\ IN\ CANCER\ PREVENTION\ AND\ THERAPY$ 

(Priority Application No. 60/039,106 filed 02/25/97)
Inventors: Moriarty, R.M.; Penmasta, R.; Guo, L.; Rao,

M.S.; and Mehta, R.G. Assignee: Steroids, Ltd.

Dear Sir:

Transmitted herewith for filing is the patent application of R.M. Moriarty et al. as above identified. Enclosed are:

- Specification and Claims;
- 2. Four sheets of drawings;
- 3. Declaration and Power of Attorney;
- 4. Verified Statement (Declaration) Claiming Small Entity Status (37 CFR 1.9(f) & 1.27(b)) -- Independent Inventors;
- 5. Assignment of Invention and Assignment Cover Sheet;
- 6. A check in the amount of \$435, representing the \$395 filing fee for a small entity, calculated as shown below and the \$40 Patent Assignment Recordation fee; and
- 7. A self-addressed stamped return postal card.

	(Col. 1)	(Co	1.2)	SM	ALL	E	ENTI'	ΓY				 THAN ENTI'	
FOR:	NO. FILED	NO.	EXTRA	RA'	TE		FEE		OR	R.P	ΛTΕ	FEE	
BASIC FEE	XXXXXXXX	XXX	XXXXXX	XX	XX		\$39	5		XX	XXX	\$79	0
	MS <u>14</u> -20= <u>-06</u> IMS <u>1</u> -3= <u>-2</u>	* <u>0</u> * <u>1</u>										\$ \$	

Commissioner of Patent and Trademarks January 19, 1998 Page 2

[0] MULTIPLE CLAIMS PRESENTED + 135= \$ 0 OR + 270= \$ TOTAL \$395 OR TOTAL \$

\* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.

The Commissioner is hereby authorized to charge any additional filing fees required to Deposit Account No. 500358.

This patent application claims the benefit under 35 USC § 119(e) of the priority date of provisional application Serial No. 60/039,106, filed Feb. 25, 1997.

Please acknowledge receipt of these documents by returning the enclosed self addressed postal card.

Please send all correspondence to the undersigned.

Pursuant to 37 CFR Section 1.10, the undersigned certifies that this communication was deposited with the U.S. Postal Service, "Express Mail Post Office Addressee" service on January <u>20</u>, 1998, and addressed to the Commissioner of Patents and Trademarks, BOX PATENT APPLICATION, Washington, D.C. 20231. The "Express Mail" mailing label number is <u>EMII6 344 2 P445</u>.

Sincerely yours,

Harold J. Fassnacht

Reg. No. 35,507

Enclosures

cc: Liang Guo w/enclosures
John T. Allen w/o encl.

## Application for Letters Patent of the United States of America by -

ROBERT M. MORIARTY 1030 Erie Street Oak Park, Illinois 60302

RAJU A. PENMASTA 811 Dunham Lane Bolingbrook, Illinois 60440

LIANG GUO 221 Mountain Drive Bolingbrook, Illinois 60440

MUNAGALA S. RAO 1019 Beninford Lane Westmont, Illinois 60559

and

RAJENDRA G. MEHTA 11721 Springbrook Ct. Orland Park, Illinois 60462

For

 $1\alpha$ -HYDROXYVITAMIN D<sub>5</sub>, ITS SYNTHESIS AND USE IN CANCER PREVENTION AND THERAPY

#### Specification

## $1\alpha$ -Hydroxyvitamin $D_5$ , ITS SYNTHESIS AND USE IN CANCER PREVENTION AND THERAPY

#### CROSS-REFERENCES TO RELATED APPLICATIONS

This application claims the benefit of U.S. Provisional Application No. 60/039,106 filed February 25, 1997.

#### BACKGROUND OF THE INVENTION

#### Field of the Invention

5

10

15

20₅

25

30

This invention relates to biologically active vitamin  $D_5$  compounds. More specifically, this invention relates to a series of novel  $D_5$  compounds, including the compound  $1\alpha$ -Hydroxyvitamin  $D_5$ , their synthesis and their use in cancer prevention and therapy.

#### Description of the Related Art

Vitamin D is a secosteroid and is classified as a hormone within the steroid hormone family. Vitamin D's are differentiated on the basis of side-chain chemical structures into different series, e.g.,  $D_2$ ,  $D_3$ ,  $D_4$ ,  $D_5$ , and  $D_6$ . To date, attention has been focused almost exclusively on the vitamin  $D_3$  series of compounds. In its biological form, vitamin  $D_3$  is inactive until it is metabolized to  $1\alpha,25$ -dihydroxyvitamin  $D_3$  [ $1\alpha,25$ (OH) $_2D_3$ ], the natural metabolite. The inactive 24-hydroxy form of the hormone is excreted from the body. The active metabolite  $1\alpha,25$ (OH) $_2D_3$  has been shown to suppress the growth in

vitro of many neoplastic cells, including breast cancer cells. In addition, treatment of colon cancer cells and leukemia cells with  $1\alpha,25\,\text{(OH)}_2\text{D}_3$  results in a reduction in the growth rate of these cells.

One of the limiting factors in the successful use of vitamin  $D_3$  in cancer prevention or cancer therapy is its calcemic activity, i.e., the potentially fatal build-up of calcium in the body. The concentrations of vitamin  $D_3$  required to suppress growth of neoplastic cells can cause hypercalcemia and death. Therefore, in recent years, numerous analogues of vitamin D have been synthesized that possess reduced calcemic activity without compromising their antiproliferative activity. The differences in structures of these new compounds arise mostly from modifications in the A and D rings and side chain of the vitamin.

We have synthesized the novel compound  $1\alpha$ -Hydroxyvitamin  $D_5$   $[1\alpha(OH)D_5]$  and compared its effectiveness as a chemopreventative to the active metabolite of vitamin  $D_3$ . We have also attempted to determine the possible mechanism of such chemopreventative action by studying the expression of vitamin D receptors (VDRs) and transforming growth factor- $\beta$  (TGF- $\beta$ ) in normal mammary epithelial cells.

#### SUMMARY OF THE INVENTION

This invention pertains to novel vitamin  $D_5$  compounds including  $1\alpha$ -Hydroxyvitamin  $D_5$ , their synthesis, and a method for preventing and treating cancer using these compounds.  $1\alpha$ -Hydroxyvitamin  $D_5$  has the following structure:

where  $R_1 = R_4 = H$  and  $R_2 = R_3 = CH_3$ .

We have synthesized  $1\alpha$ -Hydroxyvitamin  $D_5$  starting with stigmasterol, although sitosterol may also be used as a starting material. Stigmasterol was converted to the 7-dehydro analogue and in turn to the vitamin  $D_5$ . The conversion of vitamin  $D_5$  to  $1\alpha$ -Hydroxyvitamin  $D_5$  was accomplished using literature procedures.

 $1\alpha\text{-Hydroxyvitamin}\ D_5$  is a white solid having a molecular formula of  $C_{29}H_{48}O_2$  and a molecular weight of 428.7. The  $1\alpha\text{-}$  Hydroxyvitamin  $D_5$  was fully characterized by  $^1\text{H}\ NMR\ (400\ Mhz)$ , Mass Spectrum [CI], FTIR and UV. Purity was determined by straight and reverse phase high-pressure liquid chromatography (HPLC).

5

20

25

25

5

10

Usefulness of  $1\alpha$ -Hydroxyvitamin  $D_5$ :  $1\alpha$ -Hydroxyvitamin  $D_5$   $[1\alpha(OH)D_5]$  is useful because it exhibits pharmacological activity in animals. In particular, preliminary studies in mice indicate  $1\alpha$ -Hydroxyvitamin  $D_5$  is useful in preventing development of carcinogen-induced precancerous lesions at non toxic concentrations.

Use of  $1\alpha$ -Hydroxyvitamin  $D_5$  in Cancer Prevention: Results show that the vitamin  $D_5$  analogue  $1\alpha(OH)D_5$  inhibits 7,12 dimethylbenz[a]anthracene (DMBA) induced mammary lesions in mammary gland organ culture. This assay has been used to predict possible chemopreventive agents in future clinical trials by the National Cancer Institute. The inhibitions of induction of lesions was accompanied by induction of vitamin D receptors and transforming growth factor  $\beta 1$ .

 $1\alpha\text{-Hydroxyvitamin}\ D_5$  is less calcemic than a majority of the analogues of vitamin  $D_3$ . This will allow its possible use in prevention of cancer for women at high risk of developing cancer such as women with a family history of cancer or women who may be at a risk of developing disease in the contralateral breast. In addition to breast cancer prevention, the analogue  $1\alpha(OH)D_5$  may be employed for prevention of cancers of other sites.

Use of  $1\alpha$ -Hydroxyvitamin  $D_5$  in Cancer Therapy: Our studies showed that  $1\alpha(OH)\,D_5$  inhibited growth of several human breast cancer cell lines, including ZR 75, T47D, MCF1Oneo, MCF-7, and BCA-4. The agent differentiates the cells making them less effective for forming cancers. Once the cells were

25

5

differentiated with the analogue of  $D_5$ , they did not grow in athymic mice when transplanted. Similarly, injection of 8 mg of  $1\alpha(OH)D_5$  (3 X week/2 months) to athymic mice bearing breast cancer cells inhibited growth of cancer cells in the animals. These results clearly suggest possible use of analogues of  $D_5$  as chemotherapeutic agents or as adjuvants to chemotherapeutic protocol.

#### BRIEF DESCRIPTION OF THE DRAWINGS

The present invention will hereinafter be described in conjunction with the appended drawings.

Figure 1 illustrates the synthesis of  $1\alpha\mbox{-Hydroxyvitamin}\ D_5$  from stigmasterol; and

Figure 2 illustrates the various analogues of  $1\alpha\textsubscript{-}$  Hydroxyvitamin  $D_{\text{5}}\,.$ 

#### DETAILED DESCRIPTION OF THE DRAWINGS

We have synthesized the novel compound  $1\alpha$ -Hydroxyvitamin  $D_5$  and compared its calcemic activity, cancer prevention efficacy and toxicity to that of the active metabolite of vitamin  $D_3$ . We have also attempted to determine the possible mechanism of the chemopreventive activity of  $1\alpha$ -Hydroxyvitamin  $D_5$  by studying the expression of VDRs and TGF- $\beta 1$  in normal mammary epithelial cells.

#### I. SYNTHESIS OF $1\alpha$ -Hydroxyvitamin D<sub>5</sub>

 $1\alpha\text{-Hydroxyvitamin}\ D_5$  was prepared by the synthesis outlined

25

5

10

in Figure 1 and described in detail below. Numbers in parentheses refer to numerals in Fig. 1.

Step 1 - Preparation of stigmasterol tosylate (2): To a solution of stigmasterol (1) (50 g, 121.15 mmol) in anhydrous pyridine (400 ml) was added tosyl chloride (46.19 g, 242.3 mmol) under argon. The solution was stirred overnight at room temperature (20 hours) in the dark. The reaction mixture was poured into a 400 mL cold 5% NaHCO<sub>3</sub> solution. The pale crystalline precipitate was filtered, washed with water and air dried to yield 65g (95%) of stigmasterol tosylate (2).

Step 2 - Preparation of stigmasterol methyl ether (3): A suspension of stigmasterol tosylate (2) (64 g, 112.9 mmol) and potassium acetate (70 g, 713.19 mmol) in anhydrous methanol (1500 mL) was refluxed for 4.5 h under argon atmosphere. The methanol was evaporated in vacuo, and then ether (2 L) was added, washed with water (500 mL), 5% NaHCO<sub>3</sub> (2 X 400 mL) and brine (400 mL) and dried (MgSO<sub>4</sub>). The solvent was evaporated in vacuo to afford 47 g (92%) of stigmasterol methyl ether (3) as a pale yellow viscous liquid.

Step 3 - Preparation of sitosterol methyl ether (4): A solution of stigmasterol methyl ether (3) (10 g, 23.43 mmol) in ethyl acetate (250 mL) and 10% Pd-C (3 g) was shaken in Parr hydrogen apparatus for 4 h (30-40 psi). The Pd-C was filtered through Celite. The solvent was removed *in vacuo* to afford sitosterol methyl ether (4) in quantitative yield.

Step 4 - Preparation of Sitosterol acetate (5): To a

25

5

10

solution of sitosterol methyl ether (4) (50 g, 116.62 mmol) in glacial acetic acid (1 L) was added zinc acetate (65 g, 354.3 mmol). The reaction mixture was refluxed for 6 h, cooled, then 1.5 L of water was added. The resulting white precipitate was filtered, washed with water and air dried. Recrystallization in ether-methanol afforded 42 g (79%) of sitosterol acetate (5) as a white crystalline solid.

Step 5 - Preparation of 7-Dehydrositosterol acetate (6): A suspension of sitosterol acetate (5) (10 g, 21.89 mmol), anhydrous  $NaHCO_3$  (9.19 G, 109.45 mmol) and dibromantin in heptane (250 mL) was refluxed for 2 h under argon atmosphere. reaction mixture was cooled to room temperature and filtered, and then the solvent was removed in vacuo. To the reaction flask, THF (50 mL) was added followed by tetrabutylammonium bromide  $(0.65~\mathrm{g},~2.02~\mathrm{mmol})$ . The solution was stirred at room temperature for 30 minutes under argon atmosphere. reaction mixture tetrabutylammonium fluoride (112 mL, 1 Msolution in THF) was added and followed by s-collidine (5  $\mathrm{mL}$ ). Then the reaction mixture was stirred at room temperature for 20 The reaction mixture was diluted with ether (1.5 L), then water (600 mL) was added. The crude reaction mixture was transferred to a separating funnel, the water layer was removed, the organic layer was washed with water (500 mL), 1 N HCl (2  $\rm X$ 600 mL), water (600 mL), then brine (500 mL). The organic layer was dried  $(MgSO_4)$  and concentrated in vacuo to afford a dark brown viscous liquid. The crude reaction mixture was purified by

25

5

10

column chromatography (silica gel, ethyl acetate-hexane 1:9 mixture as eluent) to afford 6.5 g, (75%) 7-dehydrositosterol acetate (6) as a pale brown viscous liquid.

Step 6 - Preparation of 7-Dehydrositosterol (7): To a solution of 7-dehydrositosterol acetate (6) (2.5 g, 5.5 mmol) in dry ether (200 mL) was added lithium aluminum hydride (2.09 g, 55.0 mmol). The reaction mixture was stirred at room temperature for 2 h, then cooled with an ice-water bath and the excess water (5 mL). After 30 minutes, ether (100 mL) was added and filtered. The cake was washed with ether (2 X 100 mL) and the combined organic extracts were dried (MgSO<sub>4</sub>), filtered and concentrated in vacuo to afford 7-dehydrositosterol (7) in quantitative yield.

Step 7 - Preparation of Previtamin  $D_5$  (8): 7-Dehydrositosterol (7) (1.5 g, 3.63 mmol) was dissolved in anhydrous ether (630 mL) and benzene (210 mL) and irradiated with stirring under argon in a water cooled quartz immersion well using a Hanovia medium-pressure mercury vapor lamp for 2 h. The reaction mixture was concentrated in vacuo to afford the crude previtamin  $D_5$  as a pale brown viscous liquid. The crude reaction mixture was used without purification in the next step.

Step 8 - Preparation of Vitamin  $D_5$  (9): 7-Dehydrositosterol (7) (1.5 g, 3.63 mmol) in ethanol (200 mL) was heated at 60°C for 4 h. The reaction was monitored by TLC. The solution was concentrated in vacuo and the crude vitamin  $D_5$  was purified on a silica gel column using 20% ethyl acetate in hexane to yield 600 mg (40%) of Vitamin  $D_5$  (9).

25

5

10

Step 9 - Preparation of Vitamin  $D_5$  tosylate (10): To a solution of Vitamin  $D_5$  (9) (1.6 g, 3.88 mmol) in dry pyridine (20 mL) was added p-toluenesulfonyl chloride (2.22 g, 11.63 mmol). The reaction mixture was stirred under argon for 20 h at room temperature then poured into a cold saturated NaHCO $_3$  solution (100 mL). The mixture was extracted with ether (3 X 200 mL) and the combined organic extracts were washed with 5% HCl (2 X 200 mL), saturated sodium bicarbonate (2 X 200 mL) and brine (200 mL), dried (MgSO $_4$ ) and concentrated in vacuo to yield 2 g (98%) of Vitamin  $D_5$  tosylate (10) as a brown viscous liquid.

Step 10 - Preparation of 3,5-Cyclovitamin  $D_5$  (11): To a solution of Vitamin  $D_5$  tosylate (10) (2 g, 3.53 mmol) in anhydrous methanol (250 mL) was added sodium bicarbonate (18 g, 214.26 mmol. The reaction mixture was heated under reflux for 8 h, then cooled and concentrated in vacuo. Water (300 mL) was added to the residue and the mixture was extracted with ether (2 X 300 mL). The combined organic extracts were washed with brine, dried (MgSO<sub>4</sub>), filtered and concentrated in vacuo to yield 1.18 g (78%) of 3,5-cyclovitamin  $D_5$  (11) as an oil.

Step 11 - Preparation of  $1\alpha$ -Hydroxy-3,5-Cyclovitamin  $D_5$  (12): To a suspension of selenium dioxide (222 mg. 2 mmol) in dry methylene chloride (160 mL) was added t-butyl hydroperoxide (2.9 mL, 8 mmol, 3 M solution in toluene) under argon. The reaction mixture was stirred under argon at room temperature for 3 h, then dry pyridine (0.3 mL) was added followed by a solution of 3,5-cyclovitamin  $D_5$  (11) (1.5 g, 3.52 mmol) in dry methylene

chloride (50 mL). The reaction mixture was stirred at room temperature for 30 minutes, then 10% NaOH solution (60 mL) was added and the mixture was extracted with ether (3 X 250 mL). The combined organic extracts were washed with 10% NaOH solution (2 X 200 mL), water (2 X 200 mL) and brine (200 mL) and dried (MgSO<sub>4</sub>) and concentrated in vacuo. The crude residue was purified by silica gel column chromatography using 20% ethyl acetate in hexane to yield 545 mg (35%) of  $1\alpha$ -hydroxy-3,5-cyclovitamin  $D_5$  (12) as an oil.

Step 12 - Preparation of  $1\alpha$ -Hydroxyvitamin  $D_5$  (13): A solution of  $1\alpha$ -hydroxy-3,5-cyclovitamin  $D_5$  (12) (360 mg, 0.813 mmol) in DMSO (4 mL) and acetic acid (3.5 mL) was stirred and heated at 54-55°C for 1 h under argon. The reaction mixture was poured into crushed ice (100 g), saturated NaHCO<sub>3</sub> (80 mL) was added to it, and the mixture was extracted with ether (3 X 150 mL). The combined organic extracts were washed with saturated NaHCO<sub>3</sub> solution (2 X 200 mL), water (2 X 150 mL) and brine (200 mL), dried (MgSO<sub>4</sub>) and concentrated in vacuo, to yield 331 mg (95%) of a mixture of  $1\alpha$ -Hydroxyvitamin  $D_5$  (13) and its 5,6-trans isomer (14).

Step 13 - Purification of  $1\alpha$ -Hydroxyvitamin  $D_5$  (13): The crude reaction mixture of  $1\alpha$ -Hydroxyvitamin  $D_5$  (13) and its 5,6-trans isomer (14) (320 mg, 0.75 mmol) was dissolved in ethyl acetate (70 mL) and then maleic anhydride (73 mg, 0.75 mmol) was added. The reaction mixture was stirred at 35°C for 24 h under argon. The solution was concentrated in vacuo. The crude

5

residue was purified on a silica gel column using 50 % ethyl acetate in hexane to yield 150 mg (47%) of  $1\alpha$ -Hydroxyvitamin  $D_5$  as a white solid. The compound (13) was crystallized from methylformate as white needles and further purified by HPLC (4.6 X 26 cm, C-18 column, CH<sub>3</sub> CN:H<sub>2</sub>0 9:1) to afford 80 mg of  $1\alpha$ -Hydroxyvitamin  $D_5$  (13), > 99% purity: mp 145-146°C; IR (KBr): 3416 and 1638 cm<sup>-1</sup>; UV (CH<sub>3</sub>OH):  $\lambda$  max  $^{265 \text{ nm}}$  ( $\epsilon$  18,913);  $^1$ H NMR (CDC1<sub>3</sub>, 400 MHz)  $\delta$  0.54 (S, 3H, 18-CH<sub>3</sub>, 0.72-0.98 (m, 9H), 0.92 (d, 3H, J=6Hz, C21-CH<sub>3</sub>), 4.24 (m, 1H, 1-H),4.43 (m, 1 H, 3-H), 5.0 (m, sharp, 1H, 19 (E)-H), 5.33 (m, sharp, 1H, 19 (Z)-H), 6.01 (d, 1H, J=11.3 Hz, 7-H), 6.38 (d, 1H, J-11.3 Hz, 6-H); MS (CI) m/e 429 (M<sup>+</sup>,1, 37%).

Thus the present invention provides the compound  $1\alpha$ -Hydroxyvitamin  $D_5$  indicated by numeral (13) in Figures 1 and 2, and compounds (13a) - (13e) in Figure 2 obtained from  $1\alpha$ -Hydroxyvitamin  $D_5$  using literature procedures. In addition to the above compounds, the invention also provides compounds with stereochemistry at carbon centers  $C_1$  (R or S),  $C_3$  (R or S),  $C_{20}$  (R or S) and  $C_{24}$  (R or S) in Figure 2.

- II. COMPARISON OF CALCEMIC ACTIVITY, CHEMOPREVENTIVE ACTIVITY, AND TOXICITY OF  $1\alpha$ -Hydroxyvitamin  $D_5$  AND  $1\alpha$ , 25-DIHYDROVITAMIN  $D_3$ 
  - A. Experimental Equipment and Methods

2 0 |

25

30

- High-Pressure Liquid Chromatography (HPLC)
   Analysis of Vitamin D Analogues
- The vitamin D<sub>3</sub> and D<sub>5</sub> analogues were dissolved in acetonitrile at a final concentration of 0.2 mg/mL. Aliquots (10 μL) were injected on a Suplex PKB-100 HPLC column at ambient temperature. The HPLC was carried out with the use of an Hitachi L-6000 pump, an L-4200 UV-VIS detector, and an AS-2000 autosampler (Hitachi Instruments, Inc., Naperville, IL). The vitamin D analogues were eluted with the mobile phase of acetonitrile-methanol-water (52:30:18, vol/vol) with the flow rate at 1 mL/minute, and the elution profile was monitored at 254 nm.

Both  $1\alpha$ -Hydroxyvitamin  $D_5$  and  $1\alpha$ ,25-dihydroxyvitamin  $D_3$  analogues exhibited about 98% purity. Stability studies have suggested that both can be stored in powder form for a year at  $20^{\circ}\text{C}$ , whereas in solution they are stable for one month at the same temperature.

2. Measurement Of Calcemic Activity In Rats Administered Vitamin D Analogues

Three-week-old Sprangue-Dawley male rats were obtained from the Holtzman Laboratory, Madison, WI. Up to three rats were housed together in a polycarbonate cage. The animal cages were kept under yellow light. The rats (eight to 10 per group per concentration of both vitamin D analogues used) were fed a

5

10

vitamin D-free diet containing 0.47 g/100 g calcium and 0.3 g/100 g phosphorus. After the rats had consumed this diet for 3 weeks, their plasma calcium levels were measured. Rats exhibiting plasma calcium levels of less than 6.0 mg/dL were considered to be vitamin D deficient. Such rats were administered appropriate vitamin D analogues intragastrically for 14 days. At the end of this period, the plasma calcium levels were again measured.

## 3. Induction Of Preneoplastic Lesions In Mammary Glands And Their Prevention By Vitamin $D_3$ and $D_5$ Analogues

Young, virgin BALB/c female mice, 3-4 weeks of age, were obtained from Charles River Laboratories, Wilmington, MA. The mice were pretreated for 9 days with  $17\beta$ -estradiol (1  $\mu$ g in 0.1 mL saline per animal) and progesterone (1 mg in 0.1 mL saline per animal). They were then killed by cervical dislocation, and the thoracic pair of mammary glands was dissected out on silk rafts and incubated for 10 days in Waymouth MB752 medium (Life Technologies, Inc. [GIBCO BRL], Gauthersburg, MD) containing the following growth-promoting hormones: insulin (5  $\mu$ g/mL), prolactin (5  $\mu$ g/mL), aldosterone (1  $\mu$ g/mL), and hydrocortisone (1  $\mu$ g/mL).

The carcinogen 7,12-dimethylbenz[a]anthracene (DMBA) at a dose of 2  $\mu$ g/mL was added to the medium on day 3 for 24 hours to induce mammary lesions. The DMBA-containing medium was then removed, and the mammary glands were incubated for an additional 14 days with medium containing only insulin. This procedure allowed the normal glands to undergo structural regression in which all the normal alveolar structures were disintegrated.

W

20

25

5

However, the alveolar lesions in the carcinogen-treated glands behaved differently. They had acquired altered hormone responsiveness, and these structures did not regress. These structures were termed "mammary lesions."

The vitamin D analogues (ranging in concentration from 0.01  $\mu M$  to 10.0  $\mu M$ ) were included in the medium during the first 10 days of the in vitro culture to determine if they lowered the incidence of mammary lesion formation. Throughout the culture period, the glands were maintained at 37°C in an environment of 95% air and 5%  $CO_2$ .

At the end of the culture period, the glands were fixed in formalin, stained in alum-carmine solution, and evaluated for the presence or absence of mammary lesions. All hormones and chemicals were purchased from the Sigma Chemical Co., St. Louis, MO.

#### 4. Immunohistochemistry Of VDRs And TGF- $\beta$ 1

Normal mouse mammary glands were dissected and incubated with growth-promoting hormones either alone or in the presence of vitamin D analogues for only 3 days. In this experiment, the glands were not exposed to DMBA (see protocol described in the previous section). Instead, the glands were fixed in buffered formalin, and  $5-\mu m$ -thick sections were prepared for histopathologic evaluations. The sections were mounted on adhesive-coated slides (Superfast: Fisher Scientific Co., Itasca, IL), dried at  $60^{\circ}$ C for 1 hour, deparaffinized in xylene,

10

dehydrated in a series of alcohol, and finally washed with phosphate-buffered saline (PBS).

To block the nonspecific antibody reactions, we treated the tissue sections with 5% dried skim milk for 10 minutes and then incubated them with primary mouse antibody (either against VDR or against TGF- $\beta$ 1, both obtained from BioGenex Laboratories, San Ramon, CA) overnight at 0-4°C. The tissues were rinsed in PBS and incubated with biotinylated rabbit anti-mouse antibody (Dako Corp., Carpenteria, CA.) for 10 minutes; the remaining steps were followed according to the manufacturer-specified protocol; i.e., the reaction was stopped by rinsing the sections with PBS, which was followed by a 10 minute incubation with peroxidase-conjugated streptavidin, three 10-minute rinses with PBS, and a 5-minute incubation in a substrate, 3,3'-diaminobenzidine tetrachloride.

The tissues were counterstained with hematoxylin-eosin, dehydrated through graded series of alcohol and xylene, and finally mounted in Permount (Fisher Scientific Co.). Slides were evaluated for the presence or absence of the VDR or TGF- $\beta$ 1 and for the intensity of staining in the positively strained samples.

#### 5. Statistical analysis

Statistical significance of the results was determined by the chi-squared test. All reported P values were obtained from two-sided tests.

20

. .

5

10

#### B. Experimental Results

#### 1. Calcemic Activity:

One of the primary reasons to synthesize new vitamin D agents is to prepare analogues that have reduced calcemic activity compared with that of  $1\alpha$ , 25 (OH)  $_2D_3$ , but without compromising the antiproliferative activity. We measured the calcemic activity of both  $1\alpha$ -Hydroxyvitamin  $D_5$  and  $1\alpha$ , 25-dihydroxyvitamin  $D_3$ .

As shown in Table 1, the vehicle-treated control rats showed a plasma calcium concentration of 5.4 ± 0.28 mg/dL (mean ± standard deviation). When the rats were treated with the vitamin D analogues at a dose of 0.042  $\mu$ g/kg per day, the following plasma calcium concentrations were observed: 6.0 ± 0.63 mg/dL for  $1\alpha(OH)D_5$ -treated rats (an 11% increase over that of the vehicletreated control group; P = .121, i.e., not statistically significant when compared with that of the control group) and 8.1  $\pm$  1.2 mg/dL for  $1\alpha$ , 25(OH)<sub>2</sub>D<sub>3</sub>-treated rats (a 50% increase over that of the control group; P = .002, i.e., statistically significant difference when compared with that of the control group). At a higher concentration of vitamin D analogues (0.25  $\mu g/kg$  per day),  $1\alpha(OH)D_s$  treatment resulted in a plasma calcium concentration of 7.9  $\pm$  1.5 mg/dL compared with 10.1  $\pm$  1.8 mg/dL for  $1\alpha, 25$  (OH)<sub>2</sub>D<sub>3</sub> treatment. Although both analogues at this concentration increased the plasma calcium levels in comparison with those in vehicle-treated control rats, these results showed that  $1\alpha(OH)D_5$  has overall lower calcemic effects than

 $1\alpha, 25 (OH)_2D_3$ .

 $1\alpha,25\,(OH)_2D_3$  treatment resulted in an 87% increase in the plasma calcium level in rats when compared with the vehicletreated rats. On the other hand, in animals treated with a higher concentration of  $1\alpha\,(OH)\,D_5$ , there was only a 50% increase in the plasma calcium concentration compared with that in the control animals. These results suggest that  $1\alpha\,(OH)\,D_5$  is much less calcemic than  $1\alpha,25\,(OH)_2D_3$ .

Table 1					
Effects of vitamin D analogues on plasma calcium levels in vitamin D-deficient rats					
Treatment <sup>1</sup>	No. of rats	Dose, μg/kg/day	Plasma calcium, mg/dL <sup>2</sup>	P (two- sided test)	
None	8	0.0	5.4 <u>+</u> 0.28		
$1\alpha$ (OH) $D_5$	8 10	0.042 0.25	6.0 <u>+</u> 0.63 7.9 <u>+</u> 1.5	.121 .002	
$1\alpha, 25 (OH)_2D_3$	8 10	0.042. 0.25	8.1 <u>+</u> 1.2 10.1 <u>+</u> 1.8	.001 <.0001	

 $<sup>^{2}</sup>$  Values = means +/- standard deviation.

#### 2. Efficacy of Cancer Prevention

Traditionally, the effectiveness of a variety of chemopreventive agents has been evaluated by organ culture of the mouse mammary gland. In organ culture, mammary glands from mice respond to a short stimulation with a carcinogen in the presence of appropriate hormones by developing preneoplastic lesions. When implanted in syngeneic hosts, mammary cells prepared from these lesions give rise to adenocarcinomas. Effective chemopreventive agents (e.g., certain retinoids, selenium, oltipraz, and limonene) inhibit the formation of these lesions. The relative activity of chemopreventitive in vitro correlates well with their activity in in vivo carcinogenesis experiments. Using this traditional model system, we have evaluated the efficacy of  $1\alpha$ -Hydroxyvitamin  $D_5$   $[1\alpha(OH)D_5]$  in preventing 7,12-dimethylbenz[a]anthracene (DMBA)-induced mammary lesion formation in a mouse mammary gland organ culture model.

To evaluate the efficacy of the newly synthesized vitamin  $D_5$  analogue in preventing mammary lesion formation, we incubated 15 mammary glands per group (135 glands in total) from BALB/c mice with appropriate hormones and exposed the glands to DMBA on day 3 for 24 hours (see "Experimental Equipment and Methods" section). The mammary glands were incubated for 10 days with the vitamin D analogues in concentrations ranging from 0.01  $\mu$ M to 10.0  $\mu$ M. The incidence of mammary lesions was calculated for each group and was reported as the ratio of the number of mammary glands showing lesions to the total number of mammary glands at risk.

10

Table 2 shows the incidence of mammary lesions in various groups treated with vitamin D analogues. In the vitamin  $D_5$ -treated group there was a dose-related decrease in the number of glands exhibiting lesions. In the group treated with vitamin  $D_3$ , only two of 14 glands developed lesions at a concentration of 0.01  $\mu$ M. At higher concentrations of this analogue, no mammary lesions were observed.

We calculated the percent inhibition of formation of lesions in each treatment group by comparing the incidence of lesions between the control group and the treatment group. At a concentration of 10.0  $\mu$ M, both  $1\alpha$ (OH)D<sub>5</sub> and  $1\alpha$ ,25(OH)<sub>2</sub>D<sub>3</sub> inhibited the formation of mammary lesions by 100%.

At a concentration of 0.01  $\mu M$ , the vitamin  $D_3$  analogue inhibited mammary alveolar lesion formation by 76%; incubation of glands with concentrations of 0.1  $\mu M$  and higher showed 100% inhibition. In contrast, the vitamin  $D_5$  analogue inhibited the lesion formation in a dose-dependent manner, reaching 100% inhibition at a concentration of 10.0  $\mu M$ .

10

#### Table 2

Effects of vitamin D analogues on incidence of 7,12 dimethylbenz[a] anthracene-induced lesions in BALB/c mouse mammary glands in organ culture

	1α-Hydr	oxyvitam:	in D <sub>s</sub>	$1,25\alpha$ -dihydroxyvitamin $D_3$			
Concentration (μM)	No. of glands with lesions/total No. of glands treated	% inci- dence	P (two sided test)	No. of glands with lesions/ total No. of glands treated	% inci- dence	P (two sided test)	
None	9/15	60.0		9/15	60.0		
0.01	6/16	37.5	.21	2/14	14.3	.011	
0.1	4/16	25.0	.048	0/15	0.0	.003	
1.0	2/14	14.3	.011	0/15	0.0	.003	
10.0	0/15	0.0	.003	0/15	0.0	.003	

20

25

5

10

#### 3. Toxicity

To determine the effects of vitamin D analogues on the structural differentiation as well as their toxic effects on mammary glands, we incubated mammary glands with growth-promoting hormones for 3 days either alone or in the presence of 0.1  $\mu M$  or 1.0  $\mu M$  vitamin D analogues. The control mammary gland structure was represented by normal alveolar and ductal structures.

 $1\alpha,25\,(\mathrm{OH})_2\mathrm{D}_3$  at a concentration of 0.1  $\mu\mathrm{M}$  did not show toxicity. Mammary glands displayed normal ductal and alveolar structures. At a concentration of 1.0  $\mu\mathrm{M}$ , vitamin  $\mathrm{D}_3$  analogue treatment resulted in disintegration of ducts and structural toxicity to the glands.

In contrast, treatment with the vitamin  $D_5$  analogue at a concentration of 1.0  $\mu M$  retained the healthy structural characteristics seen in the untreated glands. In fact, some secretion was obvious in the lumen of the ducts.

In summary,  $1\alpha$ , 25 (OH)  $_2D_3$  was toxic to the glands at concentrations of 1.0  $\mu M$  or higher. Treatment of mammary glands with  $1\alpha$  (OH)  $D_5$  did not result in any toxicity to the glands.

#### 4. Mechanism of the Vitamin D Chemopreventive Activity

The mechanism of the vitamin D chemopreventive action is not completely understood. Nuclear vitamin D receptor (VDR) protein binding to  $1\alpha,25\,(\text{OH})_2D_3$  has been identified and is shown to be present in a variety of tissues, including normal mammary glands and mammary tumors, as well as in breast cancer cells. In the

2.5

cytosol of target organs or cells,  $[^3H]1,25\,(OH)_2D_3$  binds specifically to receptors with a dissociation constant  $(K_d)$  ranging from 1 x  $10^{-10}$  M to 6 x  $10^{-10}$  M. An increased nuclear VDR concentration has been found to be associated with an enhanced expression of messenger RNA for vitamin  $D_3$  receptors. The VDR gene has been cloned, and the molecular structure of the receptor protein has been determined. The results have demonstrated that the VDR belongs to the steroid-, thyroid-, and retinoid-receptor superfamily. All of these receptors act as ligand-dependent transcription factors that bind to specific DNA sequences. Two classes of response elements have been identified that are activated either by VDR alone or by heterodimers of VDRs and retinoid X receptor (RXR) alpha.

In recent years, considerable attention has been given to the regulation of cell growth by autocrine antiproliferative factors. Inhibition of cancer cell growth is often related to enhanced production of transforming growth factor- $\beta$  (TGF- $\beta$ ). TGF- $\beta$  is further subclassified into the following three isoforms of polypeptides: TGF- $\beta$ 1, TGF- $\beta$ 2, and TGF- $\beta$ 3. These isoforms are present in mammalian cells, including breast cancer cells. The isoforms of TGF- $\beta$  are regulated differentially by steroid and protein hormones. In one report, a hexafluoro analogue of vitamin D<sub>3</sub>,  $1\alpha$ , 25-dihydroxy-16-ene-23-yne-26, 27-hexafluorocholecalciferol (Ro24-5531), induced expression in HL-60 human leukemia cells of TGF- $\beta$ 1 and its type 2 receptors. These results suggest a possible interaction between the function

25

5

10

of VDR and TGF- $\beta$  regulation. Induction of TGF- $\beta$ , however, is often reported only in transformed cells. Although the growth-inhibitory role of TGF- $\beta$  has been reported in the normal mammary gland, induction of TGF- $\beta$  in response to chemopreventive agents in this tissue has not been reported previously.

Since the role of chemopreventive agents (including vitamin  $D_3$  and vitamin  $D_5$ ) on the induction of TGF- $\beta$  in normal mammary epithelial cells has not been studied, the histologic sections of normal mammary glands treated with either only hormones (insulin, progesterone, aldosterone, and hydrocortisone) or hormones plus vitamin D analogues were processed immunohistochemically to investigate the effects of vitamin D analogues on the induction and localization of VDRs and TGF- $\beta$ 1. VDRs were localized in the nuclei of mammary epithelial cells. There was no selective localization of VDRs in ductal or alveolar cells. Treatment with either 1.0  $\mu\text{M}$  1 $\alpha$  (OH)D<sub>5</sub> or 0.1  $\mu\text{M}$  1 $\alpha$ ,25(OH)<sub>2</sub>D<sub>3</sub> induced expression of VDRs detectable in the nuclei of both ductal and alveolar cells. This induction was dependent on the concentration of the analogue; VDR induction was much less at the lower concentration of the vitamin D<sub>5</sub> analogue. For the vitamin D<sub>3</sub> analogue, intense staining was evident at a lower concentration (0.1  $\mu$ M). However, at a concentration of 1.0  $\mu M$ , reduced or absent staining was observed as a result of apparent toxicity.

The effects of the vitamin D analogues on the induction of  $TGF-\beta 1$  were also evaluated. We studied tissue sections from the mammary glands treated with the vitamin D analogues or those from

25

10

5

untreated control glands for the induction of TGF- $\beta1$ . We found extensive induction of TGF- $\beta1$  in the cytoplasm of mammary epithelial cells. Again, the pattern of intensity was comparable to that of induction of VDR. The extent of induction of TGF- $\beta1$  after treatment with the vitamin  $D_5$  analogue at a concentration of 1.0  $\mu$ M was similar to that observed with the vitamin  $D_3$  analogue at a concentration of 0.1  $\mu$ M. However, at a concentration of 1.0  $\mu$ M of the vitamin  $D_3$  analogue, TGF- $\beta1$  expression was much reduced as a result of toxicity. These results indicate that the vitamin  $D_5$  analogue is considerably less toxic than the vitamin  $D_3$  analogue. Moreover, they indicate that this remarkable induction of TGF- $\beta1$  in mammary epithelial cells by the vitamin  $D_5$  analogue may be of importance in cancer chemoprevention.

\* \* \*

Thus we have synthesized a novel vitamin  $D_5$  compound and compared its calcemic activity, cancer prevention efficacy, and toxicity to that of vitamin  $D_3$ . We have found that  $1\alpha$ -Hydroxyvitamin  $D_5$ , while not completely devoid of calcemic activity, exhibited lower toxicity than  $1\alpha,25$ -dihydroxyvitamin  $D_3$ . The present invention represents a first step toward the long-term goal of investigating the efficacy of chemoprevention by and the mechanism(s) of action of analogues of the vitamin  $D_5$  series of compounds. Reduced calcemic activity and lack of toxicity make  $1\alpha$ -Hydroxyvitamin  $D_5$  an attractive candidate for further in vivo chemoprevention studies.

We claim as our invention:

A compound of formula I:

wherein:

R1 is hydrogen;

R2 is  $-CH_3$ ; R3 is  $-CH_3$ ; and

R4 is hydrogen.

- 2. A compound of formula I wherein:
  - a. R1 is hydrogen;
  - R2 is -OH; b.
  - R3 is  $-CH_3$ ; and c.
  - R4 is  $-CH_3$ . d.
- A compound of formula I wherein: 3.
  - a. R1 is -OH;
  - R2 is hydrogen; b.
  - R3 is  $-CH_3$ ; and c.
  - d. R4 is  $-CH_3$ .
- 4. A compound of formula I wherein:
  - a. R1 is -OH;
  - R2 is -OH; b.
  - c. R3 is  $-CH_3$ ; and
  - d. R4 is -CH3.
- 5. A compound of formula I wherein:

- a. R1 is hydrogen;
- b. R2 is -OH;
- c. R3 is  $-CF_3$ ; and
- d. R4 is  $-CF_3$ .
- 6. A compound of formula I wherein:
  - a. R1 is hydrogen;
  - b. R2 is hydrogen;
  - c. R3 is  $-CH_2OH$ ; and
  - d. R4 is  $-CH_3$ .
- 7. A method of synthesizing the compound of formula I comprising the steps of:
  - (1) adding tosyl chloride to stigmasterol to make stigmasterol tosylate;
  - (2) refluxing the stigmasterol tosylate with potassium acetate in methanol to prepare stigmasterol methyl ether;
  - (3) shaking the stigmasterol methyl ether in ethyl acetate and Pd-C to make sitosterol methyl ether;
  - (4) refluxing zinc acetate added to a solution of sitosterol methyl ether in acetic acid to make sitosterol acetate;
  - (5) refluxing a suspension of sitosterol acetate, anhydrous NaHCO3 and dibromantin in heptane; adding THF and tetrabutyl ammonium bromide and tetrabutyl ammonium fluoride and s-collidine to make 7-dehydrositosterol acetate;
  - (6) adding lithium aluminum hydride to the 7dehydrositosterol to make 7-dehydrositosterol;
  - (7) dissolving the 7-dehydrositosterol in anhydrous

- ether and benzene and irradiating to make previtamin  $D_5$ ;
- (8) heating a solution of previtamin  $D_5$  in ethanol to make crude vitamin  $D_5$ ;
- (9) adding p-toluene sulfonyl chloride to a solution of vitamin  $D_5$  in pyridine to make vitamin  $D_5$  tosylate;
- (10) adding sodium bicarbonate to a solution to a solution of vitamin  $D_5$  tosylate in methanol to make 3,5 cyclovitamin  $D_5$ ;
- (11) adding t-butyl hydroperoxide to a suspension of selenium dioxide in dry methylene chloride and adding a solution of 3,5 cyclovitamin  $D_5$  in dry methylene chloride to make  $1\alpha$ -Hydroxyvitamin-3,5 cyclovitamin  $D_5$ ;
- (12) stirring and heating a solution of  $1\alpha$ -hydroxy 3,5-cyclovitamin  $D_5$  in DMSO and acetic acid to make a mixture of  $1\alpha$ -Hydroxyvitamin  $D_5$  and its 5,6-trans isomer; and
- (13) dissolving the mixture of  $1\alpha$ -Hydroxyvitamin  $D_5$  and its 5,6-trans isomer in ethyl acetate and then maleic anhydride, purifying and crystallizing to make  $1\alpha$ -Hydroxyvitamin  $D_5$ .
- 8. A method of preventing the development of carcinogeninduced precancerous lesions which comprises

administering a therapeutically effective amount of the compound of claim 1 to an individual at risk of developing cancer.

- 9. A method of treating cancer which comprises administering a therapeutically effective amount of the compound of claim 1 to an individual in need of such treatment.
- 10. The compound of claim 2 with R or S stereochemistry at carbon centers  $C_1$ ,  $C_3$ ,  $C_{20}$  and  $C_{24}$ .
- 11. The compound of claim 3 with R or S stereochemistry at carbon centers  $C_1$ ,  $C_3$ ,  $C_{20}$  and  $C_{24}$ .
- 12. The compound of claim 4 with R or S stereochemistry at carbon centers  $C_1$ ,  $C_3$ ,  $C_{20}$  and  $C_{24}$ .
- 13. The compound of claim 5 with R or S stereochemistry at carbon centers  $C_1$ ,  $C_3$ ,  $C_{20}$  and  $C_{24}$ .
- 14. The compound of claim 6 with R or S stereochemistry at carbon centers  $C_1$ ,  $C_3$ ,  $C_{20}$  and  $C_{24}$ .

### ABSTRACT OF THE DISCLOSURE

A compound of formula I:

wherein R1 is hydrogen, R2 is  $-CH_3$ , R3 is  $-CH_3$ , and R4 is hydrogen, useful in cancer prevention and therapy.

## Preparation of 1-α-hydroxy vitamin D<sub>5</sub> from Stigmasterol

Figure 1

Figure 1 (cont.)

SeO<sub>2</sub> tBuOOH MeO MeO ···· OH 11 12 DMSO/ AcOH DSOUTER, TITLE HO''' HO''' OH ОН 14 13 Maleic anhydride **EtOAc** hν HO''' OH <u>13</u>

Figure 1 (cont.)

Figure 2

13: R1=H; R2=CH3; R3=CH3; R4=H

13a:  $R_1 = H$ :  $R_2 = OH$ ;  $R_3 = R_4 = CH_3$ 

**13b**:  $R_1 = OH$ :  $R_2 = H$ ;  $R_3 = R_4 = CH_3$ 

13c:  $R_1 = OH: R_2 = OH; R_3 = R_4 = CH_3$ 

**13d**:  $R_1 = H$ :  $R_2 = OH$ ;  $R_3 = R_4 = CF_3$ 

13e;  $R_1 = H$ :  $R_2 = H$ ;  $R_3 = CH_2OH$ ;  $R_4 = CH_3$ 

#### DECLARATION AND POWER OF ATTORNEY

#### **DECLARATION**

As the below-named inventors, we hereby declare that:

Our residences, post office addresses and citizenship are as stated next to our names.

We believe we are the original, first and only inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled

#### $1\alpha$ -Hydroxyvitamin $D_5$ , Its Synthesis and Use in Cancer Prevention and Therapy

the specification of which is attached hereto.

We hereby state that we have reviewed and understand the content of the above-identified specification, including the claims and any amendments thereto.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, section 1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, section 119, of any foreign applications for patent or inventor's certificate listed below, and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Applications Priority Claimed

(none)

We hereby claim the benefit under Title 35, United States Code, section 120 of any United States application listed below, and insofar as the subject matter of each of the claims of the application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, section 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulation, section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

App. Serial No.

Filing Date

Status

60/039,106

02/25/97

Provisional

#### POWER OF ATTORNEY

As named inventors, we hereby appoint the following attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Harold J. Fassnacht, Reg. No. 35,507 George E. Bullwinkel, Reg. No. 24,585 BULLWINKEL PARTNERS, LTD. 19 South LaSalle Street - Suite 1300

Chicago, Illinois 60603-1493

Tel. (312) 201-0777

#### FIRST INVENTOR:

Full Name: Robert M. Moriarty

Residence

address: 1030 Erie Street

Oak Park, IL 60302

Citizen of: U.S.A.

Post Office

address: Same as above.

SECOND INVENTOR:

Full Name: Raju A. Penmasta

Residence

address: 811 Dunham Lane

Bolingbrook, IL 60440

Citizen of: India (Permanent resident USA)

Post Office

address: Same as above.

THIRD INVENTOR:

Full Name: Liang Guo

Residence

address: 221 Mountain Drive

Bolingbrook, IL 60440

Citizen of: U.S.A.

Post Office

address:

Same as above.

FOURTH INVENTOR:

Full Name:

Munagala S. Rao

Residence

address:

1019 Beninford Lane

Westmont, IL 60559

Citizen of:

India (Permanent resident USA)

Post Office

address:

Same as above.

FIFTH INVENTOR:

Full Name:

Rajendra G. Mehta

Residence

address:

11721 Springbrook Ct.

Orland Park, IL 60462

Citizen of:

U.S.A.

Post Office

address:

Same as above.

DECLARATION: We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

(Signature of Inventor)

Date)

(Signature of Inventor)

1/10/9

(Date

mas	PM - 1. Raco
(Signature of Inventor)	(Signature of Inventor)
1/12/98	1/12/98
(Date)	(Date)
Registration (Signature of Inventor)	
,	
1/12/98	
(Date)	

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLI	CATION OF: Robert M. Moriarty Raju A. Penmasta Liang Guo Munagala S. Rao Rajendra G. Mehta	)
SERIA	AL NO.:	)
FILED	):	)
FOR:	$1\alpha$ -HYDROXYVITAMIN $D_5$ , ITS SYNTHESIS AND USE IN CANCER PREVENTION AND THERAPY	)

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) & 1.27(b)) -- INDEPENDENT INVENTORS

Box Patent Application Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

As below named inventors, we hereby declare that we qualify as independent inventors as defined in 37 C.F.R. Section 1.9(c) for the purposes of paying reduced fees to the Patent and Trademark Office regarding the invention titled  $1\alpha$ -HYDROXYVITAMIN  $D_5$ , ITS SYNTHESIS AND USE IN CANCER PREVENTION AND THERAPY described in the specification filed herewith.

We have not assigned, granted, conveyed or licensed and are under no obligation under contract law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 C.F.R. Section 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. Section 1.9(d) or a nonprofit organization under 37 C.F.R. Section 1.9(e).

Each person, concern, or organization to which we have assigned, granted, conveyed or licensed or are under obligation under contract or law to assign, grant, convey or license any rights in the invention is listed below:

Steroids, Ltd.

We acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of

entitlement to small entity status prior to paying or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Inventor:	Robert M. Moriarty
Signature of Inventor:	Robert mount
	* * * *
Name of Inventor:	Raju A. Penmasta
Signature of Inventor:	1/12/98
Date:	1/12/98
	* * * *
Name of Inventor:	Liang Guo
Signature of Inventor:	hy to
Date:	1/12/98
Date:	1/12/98 * * * * *
Date: Name of Inventor:	
	* * * * * Munagala S. Rao
Name of Inventor:	* * * *

Name of Inventor:	Rajendra G. Mehta
Signature of Inventor:	Rejuents
J	1/2/90
Date:	//-//3